

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BLOCKCHAIN MINING SUPPLY AND
SERVICES LTD.,

X

Case No. 18-CV-11099-ALC-BCM

Plaintiff,

-against-

SUPER CRYPTO MINING, INC. N/K/A DIGITAL
FARMS, INC. AND DPW HOLDINGS, INC.
N/K/A AULT GLOBAL HOLDINGS, INC.,

**DECLARATION OF
ROBERT B. VOLYN SKY**

Defendants.

X

I, Robert B. Volynsky, declare as follows:

1. I am an attorney in good standing admitted to practice in the State of New York and before the bar of this Court and a partner at Weltz Kakos Gerbi Wolinetz Volynsky LLP, counsel to Defendants Super Crypto Mining, Inc. n/ka Digital Farms, Inc. (“Super Crypto”) and DPW Holdings, Inc. n/k/a Ault Global Holdings, Inc. (“DPW” and with “Super Crypto” collectively, “Defendants”) in the above-captioned action. I make this Declaration in Support of Defendants’ Motion to Dismiss (the “Motion”) the First Amended Complaint, filed by Plaintiff on April 29, 2020 (the “First Amended Complaint”), and to place before the Court documents and information necessary to determine the Motion.

2. Attached hereto as Exhibit E is a true and correct copy of the Form 10-K/A for the fiscal year ended December 31, 2018, filed by DPW, on or about October 16, 2019, with the U.S. Securities and Exchange Commission.

3. Attached hereto as Exhibit F is a true and correct copy of an e-mail, dated June 14, 2018, which was sent by one of the principals of Plaintiff, Willy Tencer, to Darren Magot, Milton C. Ault, III, and Joe Kalfa. This Exhibit was produced to Plaintiff in connection with the Limited

Discovery that was ordered by the Court.

4. Attached hereto as Exhibit G is a true and correct copy of an e-mail, dated April 17, 2018, which was sent by one of the principals of Plaintiff, Joe Kalfa, to another principal of Plaintiff, Willy Tencer.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed on July 23, 2021 in Los Angeles, California.



ROBERT B. VOLYNSKY